

C. Cotton Decl. Exhibit C

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Attorneys for Defendants
UBER TECHNOLOGIES, INC., RASIER, LLC,
And RASIER-CA, LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE: UBER TECHNOLOGIES, INC.,
PASSENGER SEXUAL ASSAULT
LITIGATION

Case No. 3:23-md-03084-CRB (LJC)

**[PROPOSED] ORDER REGARDING
DEFENDANTS' MOTION REGARDING
FRAUDULENT PLAINTIFF FACT
SHEETS**

This Document Relates to:

ALL ACTIONS

1 Having considered Defendants' Motion Regarding Fraudulent Plaintiff Fact Sheets, the Court
2 orders as follows:

3 In this MDL, the Court has ordered Plaintiffs to provide basic information regarding their claims
4 at the outset of litigation. ECF 4287 at 3-4. At least 73 Plaintiffs in this MDL, represented by three
5 Plaintiffs' firms, did not review the completed amended Plaintiff Fact Sheets ("PFS") that their counsel
6 served on those Plaintiffs' behalf. *See* ECF 4508; ECF 4512; ECF 4522. Those 73 Plaintiffs are no longer
7 in contact with their counsel. *See* ECF 4508; ECF 4512; ECF 4522. Each of those amended Plaintiff Fact
8 Sheets, served by Plaintiffs' counsel, falsely stated that the Plaintiff Fact Sheets had been completed by
9 the Plaintiffs: "**The Plaintiff completing this Plaintiff Fact Sheet** is under oath and must provide
10 information that is true and correct to the best of her or his knowledge, information, and belief. Plaintiff
11 is under an obligation to supplement these responses consistent with the Federal Rules of Civil Procedure."
12 ECF 4287 at 15 (emphasis added).

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15 Nothing is more important to the integrity of our judicial system than honesty. Plaintiffs' counsel
16 stated that the Plaintiff Fact Sheets in question had been completed by Plaintiffs, when in fact they had
17 not.

18 The Court orders the following relief:

19 The 73 Plaintiffs listed in **Exhibit A1** are dismissed with prejudice.

20
21 Counsel for the Plaintiffs listed in **Exhibit A2** submitted amended PFS with changes from previous
22 submissions. In doing so, counsel failed to comply with this Court's Amended PTO 10, which requires
23 Plaintiffs to complete PFS themselves and to "provide information that is true and correct to the best of
24 her or his knowledge, information, and belief." ECF 4287, Ex. A, at 3 (referring to "[t]he Plaintiff
25 completing this Plaintiff Fact Sheet"; "'You' and 'Your' refers to the Plaintiff, listed above, who is
26 completing this fact sheet"). In order for Defendants to explore the veracity of counsel's representations
27 and evaluate these Plaintiffs' cases, the Court orders that each Plaintiff listed on **Exhibit A2** shall submit
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1 to a two-hour deposition conducted by Defendants within 30 days of this Order. Such deposition shall
2 address the representations made in each Plaintiff's PFS, including prior versions, and is without prejudice
3 to Defendants taking these Plaintiffs' depositions at a later point in this litigation.

4 To explore the pervasiveness of counsel's failure to comply with the Court's orders regarding PFS
5 review and verification, the Court orders counsel for Nachawati Law Group, Williams, Hart & Boundas,
6 LLP, and Kherkher Garcia LLP to certify that all of the Plaintiffs they represent in this MDL and all
7 related actions directly filed in or removed to this MDL have reviewed their PFS and all amendments
8 thereto after those PFS were completed and before they were served. These law firms will also certify the
9 last date, prior to the Court's November 19, 2025 Order, when the law firms had substantive
10 communications with the Plaintiffs in question.

11 The Court requires all affected counsel to, within 14 days, provide a signed certification under
12 Fed. R. Civ. P. 26(g) in the form shown in **Exhibit A3**.

13 If counsel is unable to provide the certification required, counsel of record must file within 14 days
14 of this Order a detailed explanation for why they are unable to provide the certification. Such explanation
15 must include specific facts regarding why counsel is unable to sign the certification and must include any
16 Plaintiff- or case-specific facts known to counsel regarding the PFS review and verification process.
17 Volume of Plaintiffs for which the certification is required is no excuse. If counsel is unable to provide
18 the certification under this paragraph as to any Plaintiff, Uber may depose the Plaintiff solely regarding
19 their review of served PFS and amendments thereto. Such a deposition shall be limited to no more than
20 two hours and shall be without prejudice to Uber conducting a full deposition of the Plaintiff later in the
21 litigation.

22 All Plaintiffs within each of Nachawati Law Group, Williams, Hart & Boundas, LLP, and
23 Kherkher Garcia LLP's inventories shall similarly complete a certification in the form shown in **Exhibit**
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1 A4 below. Such certification shall be filed within 30 days of this Order. Failure by any Plaintiff to file
2 such certification shall result in dismissal with prejudice for failure to participate in this litigation.

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4 **IT IS SO ORDERED.**

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6 DATED: _____

7 CHARLES R. BREYER
8 United States District Judge
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Exhibit A1:**Non-Participating Plaintiffs Dismissed With Prejudice**

MDL ID	Plaintiff's Counsel
1233	Nachawati Law Group
1361	Nachawati Law Group
1483	Nachawati Law Group
1484	Nachawati Law Group
1487	Nachawati Law Group
1489	Nachawati Law Group
1491	Nachawati Law Group
1492	Nachawati Law Group
1496	Nachawati Law Group
1500	Nachawati Law Group
1508	Nachawati Law Group
1509	Nachawati Law Group
1513	Nachawati Law Group
2213	Nachawati Law Group
2215	Nachawati Law Group
2217	Nachawati Law Group
2221	Nachawati Law Group
2225	Nachawati Law Group
2227	Nachawati Law Group
2230	Nachawati Law Group
2235	Nachawati Law Group
2254	Nachawati Law Group
2259	Nachawati Law Group
2260	Nachawati Law Group
2261	Nachawati Law Group
2262	Nachawati Law Group
2723	Nachawati Law Group
2797	Nachawati Law Group
2798	Nachawati Law Group
2804	Nachawati Law Group
2805	Nachawati Law Group
2812	Nachawati Law Group
2813	Nachawati Law Group
2842	Nachawati Law Group
2845	Nachawati Law Group
2920	Nachawati Law Group
2921	Nachawati Law Group
3020	Nachawati Law Group
3025	Nachawati Law Group
3030	Nachawati Law Group
3165	Nachawati Law Group
3201	Nachawati Law Group
3207	Nachawati Law Group
3208	Nachawati Law Group
3209	Nachawati Law Group
3246	Nachawati Law Group
3456	Nachawati Law Group

MDL ID	Plaintiff's Counsel
3645	Nachawati Law Group
1546	Williams Hart & Boundas LLP
1659	Williams Hart & Boundas LLP
1567	Williams Hart & Boundas LLP
1573	Williams Hart & Boundas LLP
1614	Williams Hart & Boundas LLP
1681	Williams Hart & Boundas LLP
1653	Williams Hart & Boundas LLP
1697	Williams Hart & Boundas LLP
1702	Williams Hart & Boundas LLP
1725	Williams Hart & Boundas LLP
1770	Williams Hart & Boundas LLP
1712	Williams Hart & Boundas LLP
1868	Williams Hart & Boundas LLP
1866	Williams Hart & Boundas LLP
1916	Williams Hart & Boundas LLP
1918	Williams Hart & Boundas LLP
1943	Williams Hart & Boundas LLP
1950	Williams Hart & Boundas LLP
1962	Williams Hart & Boundas LLP
2147	Williams Hart & Boundas LLP
2150	Williams Hart & Boundas LLP
2177	Williams Hart & Boundas LLP
2898	Williams Hart & Boundas LLP
2889	Williams Hart & Boundas LLP
3067	Kherkher Garcia LLP

Exhibit A2:**Deposition Plaintiffs**

MDL ID	Plaintiff's Counsel
1496	Nachawati Law Group
1500	Nachawati Law Group
1508	Nachawati Law Group
3201	Nachawati Law Group
1943	Williams, Hart & Boundas

Exhibit A3:

Attorney Certification of Plaintiff Fact Sheet Review and Verification

I declare as follows based upon personal knowledge, including by and through investigation:

[EITHER]

For Plaintiff _____, a Plaintiff my firm represents, I certify that to the best of my knowledge, information, and belief formed after reasonable inquiry that (a) this Plaintiff has reviewed their Plaintiff Fact Sheet and any amendments thereto after it was completed, and (b) such review took place before any PFS or amended PFS for this Plaintiff was served on Defendants in this litigation.

Prior to November 19, 2025, the last date on which I or someone at my firm had substantive contact with Plaintiff _____ was [DATE].

[OR]

For Plaintiff _____, a Plaintiff my firm represents, I certify that to the best of my knowledge, information, and belief formed after reasonable inquiry that this Plaintiff has not reviewed their Plaintiff Fact Sheet and all amendments thereto after completion and before their PFS or amended PFS was served on Defendants in this litigation.

Prior to November 19, 2025, the last date on which I or someone at my firm had substantive contact with Plaintiff _____ was [DATE].

Date: _____

[Signature of Counsel of Record & Signature Block]

Exhibit A4:

Plaintiff Certification of Plaintiff Fact Sheet Review and Verification

I declare as follows under oath:

[EITHER]

I certify that I reviewed my Plaintiff Fact Sheet and any amendments thereto, and (b) such review took place after any PFS or amended PFS was completed and before it was served on Defendants in this litigation.

[OR]

I did not review my Plaintiff Fact Sheet or one or more amendments thereto after any PFS or amended PFS was completed and before it was served on Defendants in this litigation.

Date: _____

[Signature of Plaintiff]